(13)

HIGH COURT OF CHHATTISGARH, BILASPUR

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Misc.Appeal (C).No.1366/2007

Appellant : Nilesh Das, S/o Shri Lalit das, aged about 30 years, R/o Sector-9/15/1,Bhilai Nagar, Tahsil & District Durg (CG)

... **Claimant**

VERSUS

Respondent : 1. Rajendra Singh Padda, S/o Baldeo Padda, aged about 32 years, R/o Sindhiya Nagar Durg, Tahsil & District Durg (CG)

.... Driver of the Vehicle

: 2. Baldeo Singh Padda, S/o Shri Prem Singh Padda, R/o Sindhiya Nagar Durg, Tahsil 7 District Durg (CG)

....Owner of the Vehicle

: 3. Divisional Manager National Insurance Company, Akash Ganga Supela Bhilai, Tahsil & Distrct Durg (CG)

....Insurer

Miscellaneous appeal under Section 173 of the Motor Vehicle Act, 1988

Present:
Shri P.R. Patankar, counsel for the appellant.

O R A L O R D E R
(Passed on 30.11.2007)

Heard on admission.

2. In this appeal for enhancement of compensation, the appellant/claimant is aggrieved by the award dated 30.7.2007 passed by the 8th Additional Motor Accidents Claims Tribunal (FTC) Durg (CG) in claims case No.17/2007, awarding a compensation of Rs.13,750/- in a case of grevious injury sustained by the claimant, due to the accident.

3. It is not disputed that the claimant did not adduce medical evidence and that he had suffered fracture of two toes of the left foot.

4. Learned M.A.C.T has awarded comensation under the following heads:-

(14)

i.	Expenses towards pain & suffering	=	Rs.5,000/-
ii.	Expenses towards attendant	=	Rs.1,500/-
iii.	Expenses towards special diet	=	Rs.1,000/-
iv.	Expenses towards conveyance & travelling	=	Rs. 500/-
v.	Expenses towards loss of montly Earning	=	Rs.3,750/-
vi.	Expenses actually incurred in treatment Rs.1994/- rounded off to	=	Rs.2,000/-
	T O T A L		**Rs. 13,750/-**

5. In my considered opinion that since no medical evidence was adduced by the claimant, the compensation awarded by the M.A.C.T. is just and reasonable and calls for no interference in this appeal, which is accordingly dismissed at the stage of admission.

Sd/-
Dilip Raosaheb Deshmukh
Judge